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circa Lake Forest city council oppose SB 54

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ATTACHMENT 2

RESOLUTION NO. 2018-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, SUPPORTING THE OATH OF OFFICE AND RULE OF LAW, AS WELL AS SUPPORTING THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS IN ADOPTING ITS ORDINANCE NO. 2018-03 REGARDING COMPLIANCE WITH THE UNITED STATES CONSTITUTION

WHEREAS, City Councilmembers of the City of Lake Forest have taken an oath to support and defend the Constitution of the United States and the Constitution of the State of California; and

WHEREAS, the State of California enacted Senate Bill 54, called the California Values Act, which became effective January 1, 2018; and

WHEREAS, the California Values Act may be in direct conflict with Federal laws and the United States Constitution; and

WHEREAS, among other things, the California Values Act limits the ability of local law enforcement to cooperate with federal law enforcement authorities; and

WHEREAS, the City Council of the City of Lake Forest believes in the rule of law as it applies to our service to the United States of America and to the State of California; and

WHEREAS, on March 19, 2018, the City Council of the City of Los Alamitos introduced for first reading Ordinance No. 2018-03, entitled, "An Ordinance of the City Council of the City of Los Alamitos, California Adding Chapter 9.30 Constitution of the United States Compliance" ("Los Alamitos Ordinance"); and

WHEREAS, among other things, the Los Alamitos Ordinance, invokes the supremacy of the United States Constitution in matters relating to the California Values Act; and

WHEREAS, the City Council of the City of Lake Forest desires to express its support for the City Council of the City of Los Alamitos in its adoption of the Los Alamitos Ordinance; and

WHEREAS, the City Council of the City of Lake Forest recognizes the diverse nature of not only our City, but our state and country, and the many contributions made by its citizens, immigrants, and those wishing to contribute to the United States of America; and

WHEREAS, the City Council of the City of Lake Forest also desires to ensure the health, welfare, and safety of the public by supporting the oath of office and the rule of law, as well as expressing its support of the Los Alamitos Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA DOES HEREBY RESOLVES, AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are hereby incorporated by reference.

SECTION 2. CEQA. The City Council finds this Resolution is not subject to the California Environmental Quality Act (CEQA) because it is not a “project,” as defined in Title 14, California Code of Regulations, Section 15378. Specifically, the Resolution does not have the potential in having either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment because it affirms the rule of law.

SECTION 3. Actions. The City Council hereby expresses its support of:

- A. The rule of law, including the United States Constitution and its supremacy over conflicting State and local laws; and
- B. The efforts of our local law enforcement partners in keeping our communities safe; and
- C. The ideals reflected in the Los Alamitos Ordinance.

SECTION 4. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Resolution for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have adopted this Resolution, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 5. Effective Date. This Resolution shall become effective upon the date of its adoption.

[Signatures on following page]

SIGNATURE PAGE TO RESOLUTION NO. 2018-_____

PASSED, APPROVED AND ADOPTED this ____ day of April 2018.

DR. JIM GARDNER
MAYOR

ATTEST:

JENNIFER CONNALLY, CMC
ACTING CITY CLERK

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON
CITY ATTORNEY

State of California)
County of Orange) SS
City of Lake Forest)

I, JENNIFER CONNALLY, Acting City Clerk of the City of Lake Forest, California do hereby certify that the foregoing Resolution No. 2018-_____ was duly passed and adopted by the City Council at a regular meeting thereof, held on the ____ day of April, 2018, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

JENNIFER CONNALLY, CMC
ACTING CITY CLERK